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LETTER DATED 20 MAY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government and further to my letter of 16 May 1997 (S/1997/377), I should like to inform you and the members of the Security Council that on 14 May 1997 the Iraq Sanctions Committee adopted a set of measures designed to expedite and streamline the Committee's procedures for the approval of contracts for food, medicines and other items of a humanitarian nature under the terms of Security Council resolution 986 (1995) and the memorandum of understanding of 20 May 1996. The document in which the measures are set forth was circulated as a Security Council press release on 15 May 1997 (IK/219-SC/6368), and a copy of this is attached. One of the measures adopted, that set forth in paragraph 4, is that "If a contract is put on hold, the delegations concerned should indicate to the Secretariat the specific reasons to enable the matter to be resolved as quickly as possible".

Most regrettably, the delegation of the United States has not adhered to the principle to which it gave its approval. On the very next day, 15 May 1997, it placed contracts Nos. 368, 372, 399 and 435 on hold without giving any reason for doing so.

On 16 May 1997 the United States delegation placed contracts Nos. 473, 487, 489 and 492 on hold without giving any clear reason. It merely stated that it had "technical" reasons for placing the contracts on hold and did not say what those technical reasons were. On 19 May 1997 the United States delegation placed contracts Nos. 365, 505 and 561 on hold without providing any reason for doing so. On the same day it also blocked contract No. 312 without giving any reason.

These further actions by the delegation of the United States, together with its previous practices, have thus far caused 182 contracts to be placed on hold or blocked, either for no reason at all or for no cogent reason. Such practices demonstrate the persistence of the delegation of the United States in impeding implementation of the humanitarian aspects of resolution 986 (1995) and further indicate that it is not complying with the measures to expedite the approval of contracts to which it expressed its agreement in the Security Council Committee established by resolution 661 (1990).

I reiterate my request to you and to the members of the Security Council for rapid intervention in urging the United States to desist from its use of delaying tactics that cause harm to the people of Iraq and are inconsistent with the measures the United States delegation has itself approved.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

United Nations

Press Release
Security Council

Department of Public Information • News Coverage and Accreditation Service • New York

IK/219
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15 May 1997

IRAQ SANCTIONS COMMITTEE ADOPTS FURTHER MEASURES TO EXPEDITE AND STREAMLINE APPROVAL PROCESS OF HUMANITARIAN SUPPLIES UNDER RESOLUTION 986 (1995)

The following was issued yesterday by the Iraq Sanctions Committee:

At its 155th meeting held on 14 May, the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait adopted the following measures intended to facilitate a more smooth process for approval of contracts for humanitarian supplies to Iraq:

Measures to Expedite and Streamline the Implementation of Security Council Resolution 986 (1995)

1. The Committee recalls its decision to consider for approval contracts based upon anticipated revenues as determined by the issuing of an irrevocable letter of credit for oil shipments and confirmation of lifting of oil cargoes.

In this regard the Committee requests the Secretariat to circulate for its consideration all contracts that meet the requirements of the Committee's Procedures.

2. Incomplete applications will not be circulated until clarification is obtained by the Secretariat from the applicant State and the Permanent Mission of Iraq. Thus the Secretariat will immediately notify both the Permanent Mission of the applicant State and the Permanent Mission of Iraq of the irregularities found in the submitted documentation.

3. The Secretariat will henceforward process all incoming 986 applications if possible within two business days taking into account the provisions of paragraphs 1 and 2 above.

4. If a contract is put on hold, the delegations concerned should indicate to the Secretariat the specific reasons to enable the matter to be resolved as quickly as possible.

The Secretariat will include in its weekly information to the Committee members a separate update on the lifted holds.

5. The Committee expects that the Secretariat will take steps to obtain additional resources to support processing as necessary.

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